

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULES,
RULE 490-2-.02 *LICENSURE: EXAMINATION.*,
490-2-.03 *LICENSURE: FOREIGN-EDUCATED APPLICANTS.*,
490-2-.04 *TRAINING PERMITS.*, AND
NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Physical Therapy (hereinafter "Board") proposes amendments to the Georgia State Board of Physical Therapy Rules, Chapter 490-2 (hereinafter "proposed amendments").

This notice, together with an exact copy of the proposed amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Physical Therapy's web page at www.sos.ga.gov/plb/pt. Copies may also be requested by contacting the Georgia State Board of Physical Therapy office at 478-207-2440. A public hearing is scheduled to begin at 10:00 a.m. on November 3, 2009 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before September 22, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Pharmacy, and 237 Coliseum Drive, Macon, Georgia 31217. FAX: 866-888-1308

The proposed rule amendments will be considered for adoption by the Georgia State Board of Physical Therapy at its meeting scheduled to begin at 10:10 a.m. on November 3, 2009 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Board of Physical Therapy has the authority to adopt the proposed rule amendment to these rules pursuant to O.C.G.A. §§ 43-1-3, 43-1-19, 43-1-25, 43-33-10 to 43-33-18.

At its meetings on May 19, 2009 for Rule 490-2-.02 and the July 21, 2009 meeting for the remainder of the rules on this notice, the Board voted that the formulation and adoption of these amendments do not impose excessive regulatory cost on any licensee and any cost to comply

with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-3, 43-1-19, 43-1-25, 43-33-10 to 43-33-18.

Additionally, at its meetings on May 19, 2009 and July 21, 2009 the Board considered whether it is legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-3, 43-1-19, 43-1-25, 43-33-10 to 43-33-18 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a) (3) (A), (B), (C) and (D). The Board will consider whether the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in their respective fields of licensure. The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of physical therapy.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 3rd day of September, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

Posted: September 3, 2009

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR
490-2-.02 LICENSURE: EXAMINATION.**

Purpose: The purpose of the proposed rule amendment is to require all candidates for licensure to provide license verifications for any PT or PTA license ever held.

Main Feature: The main feature of the proposed rule amendment adds a requirement for all licensure candidates to provide license verifications for any PT, PTA license ever held.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

490-2-.02 Licensure: Examination.

(1) All physical therapists and physical therapist assistants are required to submit a completed application, the appropriate fee, and pass an examination for licensure to practice the profession in Georgia except as provided for in O.C.G.A. Sec. 43-33-15. The Board may at its discretion grant a license to an applicant who has previously taken and completed, within the requirements as set by the Board, the examination required.

(a) All applicants who are graduates of a Commission on Accreditation in Physical Therapy Education (CAPTE) accredited schools and are applying for licensure must submit:

1. passing scores from the national licensing examination; and
2. passing scores from examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy; and
3. official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation-; and
4. verification of licensure in all states in which the examination candidate holds a license or has ever held a license.

~~(b) Verification of licensure in all states in which the licensure candidate holds a license or has ever held a license may be conducted by board staff.~~

O.C.G.A. §§ 43-1-3, 43-1-19, 43-1-25, 43-33-10 to 43-33-14, 43-33-17 and 43-33-18.

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR
490-2-.03 LICENSURE; FOREIGN-EDUCATED APPLICANTS.**

Purpose: The purpose of the proposed rule amendment changes the rule title and outlines traineeship requirements for applicants from non-CAPTE accredited PT/PTA programs.

Main Feature: The main features of the proposed rule amendment changes the title of the rule and adds a 1000 hour traineeship for non-CAPTE graduates with less than two years of active practice immediately preceding the application for Georgia licensure.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENT TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE.

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

490-2-.03 Licensure: Examination. Foreign-Educated Applicants.

(1) All applicants who are graduates of educational programs conducted in a foreign country that are not accredited by CAPTE and approved by the Board must submit credentials prescribed by the Board in order to be considered for ~~approval to take the licensing examination.~~ Georgia licensure.

(a) Transcripts must be evaluated by a credential evaluation agency approved by the Board, to determine if the professional instruction is substantially equivalent to that of entry-level United States-educated therapists. The credentialing evaluation agency shall send its evaluation and a copy of the official transcript directly to the Board. A list of credentialing agencies approved by the Board shall be included in each application packet. Additional lists may be obtained from the Board office.

(b) Proof of licensure/certification/registration, that is current and in good standing, to practice physical therapy, or proof of appropriate eligibility to practice physical therapy, in the country of education must be submitted.

(c) Verification of licensure/certification/registration in all jurisdictions in which the candidate holds or has ever held a license/certification/registration must be submitted.

(d) Applicants educated in a non-English speaking physical therapy program must take and receive passing scores on three (3) language proficiency examinations to include the Test of Spoken English (TSE): passing score of 50; Test of English as a Foreign Language (TOEFL): passing score of 560 pencil & paper/220 computerized; and Test of Written English (TWE): passing score of 4.5, before being allowed to sit for the licensure examination. Official score results must be submitted to the Board.

(e) Applicants educated in an English speaking physical therapy program must have a school official submit an official letter to the Board attesting that the physical therapy curriculum was taught in English.

~~(f) All foreign-educated applicants must complete a Board-approved traineeship consisting of a minimum of 480 hours, which must be completed within three (3) months of the issuance of the traineeship permit.~~ Prior to issuance of a traineeship all foreign-educated applicants must take and pass the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia.

1. All foreign-educated applicants from non-CAPTE accredited schools must complete a Board-approved traineeship consisting of a minimum of 480 hours, which must be completed within three (3) months of the initiation of the traineeship.

2. Applicants educated in a foreign physical therapy program that is accredited by CAPTE and approved by the Board, do not have to submit a credentials evaluation and must meet the conditions of Board Rule 490-2-.02. At the Board's discretion, all foreign-educated applicants from non-CAPTE accredited schools with less than two (2) years active clinical practice immediately preceding the application for Georgia licensure must complete a Board-approved traineeship consisting of a minimum of 1000 hours.

(3) Applicants educated in a foreign physical therapy program that is accredited by CAPTE and approved by the Board are not required to submit a credentials evaluation and are exempt from the traineeship requirements but must meet the requirements of Board Rule 490-2-.02.

O.C.G.A. §§ 43-1-19, 43-1-25, 43-33-10, 43-33-12 to 43-33-15, 43-33-17, and 43-33-18.

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR
490-2-.04 TRAINING PERMITS.**

Purpose: The purpose of the proposed rule amendment provides information on the types of applicants who qualify for training permits and the timeframe allowed to complete.

Main Feature: The main feature of the proposed rule amendment provides information on the types of applicants who qualify for training permits and the timeframe allowed to complete.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

490-2-.04 Training Permits.

(1) A training permit may be issued pursuant to O.C.G.A. §§ 43-33-10 and 43-33-17 of the Georgia Physical Therapy Act to a qualified applicant following Board-approval of a properly submitted application.

(a) Qualified applicants are:

1. ~~individuals who have not failed the licensing examination in this or any other jurisdiction; and~~ able to initiate a traineeship program in the State of Georgia within three months of issuance of such permit; and
2. unlicensed graduates of entry-level programs for physical therapists or physical therapy assistants from a CAPTE-accredited school; or
3. ~~foreign-educated physical therapists who are deemed eligible by the Board to take the licensing examination; unlicensed graduates from non-CAPTE accredited schools who have taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or~~
4. applicants for reinstatement, who have been unlicensed in this jurisdiction and have not practiced for two (2) or more years; or
5. applicants for reinstatement who have been unlicensed in this jurisdiction for five (5) or more years and who have been approved to take the licensing examination within 30 days of satisfactory completion of this traineeship; ~~and~~
6. ~~able to initiate a traineeship program in the State of Georgia within three months of issuance of such permit.~~

(b) Initial Applications and Reinstatement Applications.

1. A notarized training permit application form must be submitted by the trainee's supervisor specifying:
 - (i) the name and license number of the trainee supervisor who will be responsible for the conduct of the traineeship as defined under section (f) of this rule; and

- (ii) the name, address, phone, fax number and e-mail address of all sites where the trainee and supervisor may be working during the course of the traineeship; and
 - (iii) the effective dates of the traineeship; and
 - (iv) acceptance of responsibility for trainee supervision and completion of the performance evaluation; and
 - (v) termination of the traineeship as defined herein; and
 - (vi) type of facility.
- (c) Renewal.

1. A training permit may be renewed one time, for no more than six (6) months, upon written request and with approval of the Board, and only for one good and exceptional reason as determined by the Board. Failure to pass the licensing examination is not considered a good and exceptional reason. For purposes of this rule, good and exceptional reasons include but are not limited to:

- (i) Death of an immediate family member; or
 - (ii) Illness or incapacitation of the applicant or immediate family member (a physician's statement is required); or
 - (iii) Jury duty (proof required).
- (d) Validity of Permit.

1. The validity of any training permit is subject to the following conditions:

- (i) A training permit will not be issued, reissued or renewed for any applicant who has failed the licensing examination in this or any other jurisdiction until the licensing examination has been successfully passed.
- (ii) An approved training permit which is not used must be returned to the Board by the trainee with a brief explanation of why it was not used.
- (iii) A training permit may be valid for any time period approved by the Board ~~not to exceed six (6) months~~, unless the training permit becomes invalid as provided in this rule. A 480 hour traineeship must be completed within three (3) months of initiation. A 1000 hour traineeship must be completed within six (6) months of initiation.
- (iv) A training permit shall become invalid and must be returned to the Board office by the trainee immediately:
 - (I) On the date the applicant is notified ~~by letter~~ that he/she has failed the examination; or
 - (II) Any time the applicant does not exhibit performance satisfactory to the supervisor.

(e) Traineeship Permit Time Requirement

~~1. The training permit of an unlicensed graduate of entry level program for physical therapist and physical therapist assistant, from a CAPTE accredited school, must successfully complete a minimum of 480 hours within a three (3) month period. At the end of the traineeship period and upon receipt of a final performance evaluation, the applicant will be approved to sit for the licensing examination.~~ Supervision.

1. The supervisor named on the training permit application holds full responsibility for direct, continuous, on-site supervision of the trainee at all times. The supervisor must assure that the trainee does not perform any patient care activities in his/her absence.

2. If the supervisor cannot continue for any reason, the traineeship must be terminated and practice must cease. The training permit must be returned to the Board and a new application submitted.

3. The supervisor must be a licensed physical therapist in good standing under O.C.G.A. ~~7~~ Title 43, Chapter 33, who has practiced full time for not less than one continuous year.

4. If any supervisor has not practiced in this state for one continuous year, information about licensure and employment in another state must be provided.
 5. The supervisor must evaluate trainee performance on an ongoing basis in the following areas:
 - (i) evaluation skills;
 - (ii) treatment skills;
 - (iii) documentation;
 - (iv) written, oral and non-verbal communication skills;
 - (v) compliance with safety requirements, ethical and legal standards and professional behavior at all times;
 - (vi) compliance with the rules and laws in the State of Georgia governing the practice of physical therapy; and
 - (vii) ability to be a contributing member of the health care system.
 6. The supervisor must notify the Board of any unsatisfactory performance.
 7. The supervising therapist(s) will supervise no more than ~~two~~ one (21) trainees during any one time period.
 8. The supervisor must submit a performance evaluation at the end of the traineeship period.
- ~~(f) Supervision-~~
1. ~~The supervisor named on the training permit application holds full responsibility for direct, continuous, on-site supervision of the trainee at all times. The supervisor must assure that the trainee does not perform any patient care activities in his/her absence.~~
 2. ~~If the supervisor cannot continue for any reason, the traineeship must be terminated and practice must cease. The training permit must be returned to the Board and a new application submitted.~~
 3. ~~The supervisor must be a licensed physical therapist in good standing under O.C.G.A. T. Title 43, Chapter 33, who has practiced full time for not less than one continuous year.~~
 4. ~~If any supervisor has not practiced in this state for one continuous year, information about licensure and employment in another state must be provided.~~
 5. ~~The supervisor must evaluate trainee performance on an ongoing basis in the following areas:~~
 - (i) ~~evaluation skills;~~
 - (ii) ~~treatment skills;~~
 - (iii) ~~documentation;~~
 - (iv) ~~written, oral and non-verbal communication skills;~~
 - (v) ~~compliance with safety requirements, ethical and legal standards and professional behavior at all times;~~
 - (vi) ~~compliance with the rules and laws in the State of Georgia governing the practice of physical therapy; and~~
 - (vii) ~~ability to be a contributing member of the health care system.~~
 6. ~~The supervisor must notify the Board of any unsatisfactory performance.~~
 7. ~~The supervising therapist(s) will supervise no more than two one (21) trainees during any one time period.~~
 8. ~~The supervisor must submit a performance evaluation at the end of the traineeship period.~~

O.C.G.A. §§ 43-1-25, 43-33-10, 43-33-12, 43-33-13, 43-33-16, and 43-33-17.